

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

IN RE:]	
]	
MULLIS GARAGE & AUTO PARTS, LLC,]	
]	CHAPTER 11
]	CASE NO: 15-30116-SDB
DEBTOR.]	

**MOTION FOR AUTHORITY TO USE CASH COLLATERAL
AND GRANT REPLACEMENT LIEN**

To: Hon. Susan D. Barrett, U.S. Bankruptcy Judge

COMES NOW, Debtor, MULLIS GARAGE & AUTO PARTS, LLC, and files this Motion for Authority to Use Cash Collateral and Grant Replacement Lien, and shows as follows:

1. On May 1, 2015, the Debtor filed its Petition in this Court under Chapter 11 of the U.S. Bankruptcy Code.
2. The Debtor's principal source of revenues presently consists of receipt income from sales of automobile parts and repairs. The business income presently averages \$15,578.54 per month.
3. As of the date of the filing of the Debtor's Petition, Morris Bank is believed to hold a security deed on the facility at 1974 Hwy. 441 South, Dublin, Georgia 31021 in which the maintenance garage, junkyard, and auto parts facility are located. It is believed that the security deed contains an assignment of rents and proceeds.
4. Upon advice of counsel, the collections and cash received by the Debtor from the above-mentioned accounts receivable and inventory might constitute "cash collateral" in which the above-mentioned creditors have an interest pursuant to 11 U.S.C. § 363(a).
5. In order for the Debtor to continue its operations as a Debtor-in-Possession, it is essential that the Debtor have immediate use of all or a portion of this cash. Attached hereto as

Exhibit “A” is a schedule outlining the Debtor’s projected cash needs, as well as the Debtor’s projected cash flow covering the period from May 1, 2015, through July 31, 2015.

6. The Debtor proposes to grant as adequate protection pursuant to 11 U.S.C. § 361(s), a replacement lien on the Debtor’s present and future proceeds from vehicle maintenance and repairing and sale of auto parts located at 1974 Hwy. 441 South, Dublin, Georgia 31021, to the extent that such proceeds are used and to the extent that the Court determines the vehicle maintenance and repairing and sale of auto parts proceeds to be cash collateral.

7. The Debtor’s cash needs are immediate in that debtor needs the cash collateral for the purpose of paying employees, utility bills, and other necessary expenses (attached hereto as Exhibit “B” are necessary expenses until May 15, 2015). In the event that the Court should desire to have notice and a hearing before granting the Debtor the authority to use the total amount of the proceeds of the vehicle maintenance and repairing and sale of auto parts, it is requested that such hearing be scheduled for the earliest possible date and that, in any case, the Debtor be granted immediate authority to use the following proceeds of the accounts receivable for the following purposes:

1. Payment of Utility Bills;
2. Payment of Employees;
3. Draws by Managing Member;
4. Payment of Professional Fees;
5. Shipping of Auto Parts;

WHEREFORE, it is respectfully requested that this Court issue its Order, pursuant to 11 U.S. C. § 361 and 363, granting the Debtor the authority to use the proceeds of its garage and auto parts, in existence as of the date of the filing of the Debtor’s Petition, in accordance with the budget attached hereto plus any variations within twenty five (25%) percent of the figure shown therein

(average approximately \$22,464.06 per month), for expenses incurred and to be incurred in connection with the Debtor's continued operation as a Debtor-in-Possession under Chapter 11 of the U.S. Bankruptcy Code, and granting Morris Bank a replacement lien on future proceeds of the vehicle maintenance and repairing and the sale of auto parts, to the extent that such proceeds are so used.

RESPECTFULLY SUBMITTED this 1st day of May, 2015.

MERRILL & STONE, LLC

s/Jon A. Levis

JON A. LEVIS
ATTORNEY FOR DEBTOR
GEORGIA BAR NO: 448848

LAW OFFICES:

MERRILL & STONE, LLC
SECOND FLOOR - MITCHELL BUILDING
101 S. MAIN STREET
POST OFFICE BOX 129
SWAINSBORO, GA 30401
(912)237-7029
(912)237-9211 - FAX

EMANUEL COUNTY, GEORGIA

CERTIFICATE OF SERVICE

I, Roxanne T. Davis, Paralegal, of the firm of Merrill & Stone, Attorneys at Law, Post Office Box 129, Swainsboro, Georgia 30401, do hereby certify that I have served a copy of the within and foregoing **MOTION FOR AUTHORITY TO USE CASH COLLATERAL AND GRANT**

REPLACEMENT LIEN and ORDER upon:

Matthew E. Mills, Esq.
Office of the U.S. Trustee
Johnson Square Business Center
2 East Bryan Street, Suite 725
Savannah, GA 31401

Joshua E. Kight, Esq.
Attorney At Law
Post Office Box 816
Dublin, GA 31040

Edward B. Claxton, III, Esq.
Edward B. Claxton, III, LLC
Post Office Box 16459
Dublin, GA 31040

Mr. Lucas Cowart
Morris State Bank
Post Office Box 520
Dublin, GA 31040

by e-file and/or mailing a copy through the United States mail with sufficient postage attached thereto to assure delivery.

THIS the 1st day of May, 2015.

MERRILL & STONE, LLC

By: s/Roxanne T. Davis
ROXANNE T. DAVIS, Paralegal

LAW OFFICES:

MERRILL & STONE, LLC
POST OFFICE BOX 129
SWAINSBORO, GA 30401
(478)237-7029
(478)237-9211 - FAX